

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE BIDWELL FAMILY	:	
CORPORATION, et al.,	:	
	:	
<i>Plaintiffs,</i>	:	Case No. 1:19-cv-201
	:	
v.	:	Judge Jeffery P. Hopkins
SHAPE CORP., et al.,	:	
	:	
<i>Defendants.</i>	:	

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO FILE
DOCUMENTS UNDER SEAL (DOC. 119)**

This case is before the Court on Defendants' Motion for Leave to File Under Seal (Doc. 119) (the "Motion") certain documents in support of their Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment. Specifically, Defendants seek to file under permanent seal: (1) an unredacted copy of the parties' Asset Purchase Agreement used as an exhibit in the February 19, 2021 deposition of Plaintiff Marianne Bidwell Walter; (2) copies of the Master Services Agreement between Magnode and Duke Energy One and its amendments, Exhibit Number 2 and the First Amendment to Exhibit Number 2, as well as other documents containing Duke Energy One's confidential and proprietary information; and (3) documents containing Defendants' proprietary business and financial information. Defendants also seek to file under a 14-day provisional seal the following documents that were designated by Plaintiffs as "Confidential": Doc. ID BIDWELL01531 (Marianne Bidwell-Walter Deposition Exhibit 13, 2016 3300 Ton Press Expansion Information) and Doc. ID BIDWELL00458 (October 5, 2017 Magnode/Shape Meeting notes) (the "Provisional Seal Documents").

The Court has reviewed the Motion and finds it to be well-taken. Accordingly, it is

ORDERED that:

1. The Motion is **GRANTED**;
2. Defendants may file under seal those documents identified in the Motion;
3. Any party who desires the Provisional Seal Documents to remain sealed **shall file** a motion requesting as much within 14 days of the date of this order. If no such motion is filed, the Provisional Seal Documents shall be unsealed on the docket.¹ If such a motion is filed, the Court will determine if the permanent sealing of the documents is warranted and will rule accordingly.

IT IS SO ORDERED.

Dated: August 8, 2023



Hon. Jeffery P. Hopkins
United States District Judge

¹ The sealing of the Provisional Seal Documents will be only temporary unless a motion is filed that satisfies the requisite standard of *Shane Group, Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299 (6th Cir. 2016), showing cause for them to remain sealed. *See also* S.D. Ohio Civ. R. 5.2.1.